

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	07-CR-00550-5
	)	
	)	
	)	
vs.	)	
	)	
STEVEN NORTHINGTON, a/k/a	)	
SMOKE, a/k/a S1, a/k/a SYEED	)	
BURHANNON, a/k/a MICHAEL	)	
TILLERY, a/k/a DARNELL DOSS	)	
agent of DOLLAR BILL,	)	Philadelphia, PA
	)	June 19, 2013
Defendant.	)	12:23 p.m.

TRANSCRIPT OF HEARING  
BEFORE THE HONORABLE R. BARCLAY SURRICK  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government:	DAVID E. TROYER, ESQUIRE U.S. ATTORNEY'S OFFICE 615 Chestnut Street Suite 1250 Philadelphia, PA 19106
For the Defendant	MICHAEL C. EGAN, III, ESQUIRE 621 Swede Street Norristown, PA 19401
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1 (The following was heard in open court at 12:23 p.m.)

2 THE COURT: Have a seat. And we have the case of  
3 United States v. Steven Northington. It's Number 7- 550.  
4 Counsel, please identify yourselves for the record.

5 MR. TROYER: Good afternoon, Your Honor. David  
6 Troyer and John Gallagher Assistant U.S. Attorneys for the  
7 Government.

8 MR. GALLAGHER: Good afternoon, Your Honor.

9 MR. EGAN: Tom Egan on behalf of Mr. Northington,  
10 Your Honor. Good afternoon, again.

11 THE COURT: Okay. Counsel, we're here this  
12 afternoon for the sentencing of Mr. Northington. The fourth  
13 superceding indictment charged Mr. Northington in Count 1 with  
14 conspiracy to participate in a racketeering enterprise. In  
15 Count 5 with murder in aid of racketeering and causing the  
16 death of Barry Parker, and in Count 7 with murder in aid of  
17 racketeering and causing the death of Tybius Flowers.

18 The Government filed a notice of intent to seek the  
19 death penalty as it relates to Count 7. And on May 13, the  
20 jury came back and they found Mr. Northington guilty on Counts  
21 1, 5 and 7 of that fourth superceding indictment.

22 We moved into the penalty phase of the trial on  
23 Count 7, and on June 13, 2013 the jury made special findings  
24 and unanimously voted a sentence of life imprisonment without  
25 the possibility of release should be imposed.

1           And we're here this afternoon to impose that  
2       sentence, and to impose sentences on Counts 1 and 5 also.  
3       Now, counsel, with regard to Counts 1 and 5, I have reviewed  
4       those counts and the sentencing guidelines. I've concluded  
5       that the base offense level is a 43, and that Mr. Northington  
6       qualifies as a career offender.

7           So the criminal history category would be six. And  
8       under those circumstances, a sentence on Counts 1 and 5 of  
9       life would be a guideline sentence

10           MR. EGAN: We're in agreement, Your Honor.

11           MR. TROYER: Yes, Your Honor.

12           THE COURT: All right. With that, counsel, Mr. Egan  
13       do you have anything you want to say before I bring your  
14       client forward?

15           MR. EGAN: I do not, Your Honor. Thank you.

16           THE COURT: Mr. Troyer, do you have anything you  
17       want to say before I sentence Mr. Northington?

18           MR. TROYER: No, Your Honor. On Count 5, of course,  
19       it's a life sentence would be mandatory in any event, because  
20       it's a murder in aid of racketeering under 1959. I know when  
21       the Court imposes sentence, there are some specific  
22       provisions, and I spoke just briefly with the probation  
23       officer about supervised release.

24           And I know supervised release seems somewhat -- it  
25       might seem unnecessary under the circumstances of a life

## Allocution

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1 sentence, but I think for -- always -- there's always possible  
2 potential down the line that something may happen to a  
3 particular Count or something. I know the probation officer  
4 is interested in making sure that a term of supervised release  
5 was imposed.

6 THE COURT: I intended to impose it, supervised  
7 release, even though it would seem to be totally unnecessary.

8 MR. TROYER: I agree.

9 THE COURT: All right. All right, Mr. Egan, do you  
10 want to bring your client forward?

11 All right, Mr. Northington, I'm going to impose  
12 sentence on you in a few minutes. But before I do that, I  
13 will hear anything that you want to say to me.

14 MR. NORTHINGTON: Yes, sir, Your Honor. Basically I  
15 would like to say that from, I guess, birth, I had a rough  
16 life. My mother, this and that. She had a rough life.  
17 But --

18 (Pause)

19 MR. NORTHINGTON: -- but she raised us to the best  
20 of her ability, me and my brothers, a little sister. And she  
21 didn't raise us to be -- she raised us to have good hearts.  
22 She didn't raise us to be bad children.

23 And I'm not a murderer. I didn't kill Tybius  
24 Flowers, I didn't kill Barry Parker. And I was never part of  
25 an alleged drug conspiracy and alleged RICO. I mean, I plan

1 on, you know, taking my time and going through the prison,  
2 back I guess to Hazleton, and working on trying to get back in  
3 the courts to prove my innocence. And my attorney Mr. Tom  
4 Egan's going to assist me.

5 That's it, Your Honor.

6 THE COURT: All right. Mr. Egan, do you have  
7 anything further?

8 MR. EGAN: I do not, Your Honor. Thank you.

9 THE COURT: Mr. Troyer, do you have anything  
10 further?

11 MR. TROYER: No, thank you, Your Honor.

12 THE COURT: All right. As I indicated earlier, the  
13 sentences to be imposed here are fairly fixed. The jury has  
14 spoken with regard to Count 7. And the sentences on Counts 1  
15 and 5 are likewise sentences that must be imposed.

16 Under the circumstances, I'm going to impose the  
17 following sentences. On Count 1, charging the murder of  
18 Tybius Flowers in aid of racketeering --

19 MR. TROYER: Judge, that would be Count 7.

20 THE COURT: Count 7, you're right. Count 7. Murder  
21 in aid of racketeering, the sentence that is imposed is a  
22 sentence of life in prison without the possibility of release.

23 On Count 1, charging conspiracy to participate in a  
24 racketeering enterprise, you are sentenced to life in prison.  
25 On Count 5 charging murder in aid of racketeering dealing with

1 the murder of Barry Parker. The sentence of the Court is that  
2 you be incarcerated for a period of life. The sentences on  
3 Counts 1, 5 and 7 are to run concurrently with each other.

4 They are to run concurrently with any other  
5 sentences previously imposed in this or any other  
6 jurisdiction. With regard to the supervised release, Mr.  
7 Northington, you're placed on supervised release following  
8 jail for a period of five years on each of those counts,  
9 Counts 1, 5 and 7.

10 And those sentences of supervised release are to run  
11 concurrently with each other. No fine is imposed. The  
12 special assessments are waived. And you are to stay committed  
13 until that sentence is complied with.

14 Do you understand the sentence, Mr. Northington?

15 MR. NORTHINGTON: Yes, sir.

16 THE COURT: All right. You understand that you do  
17 have a right to appeal. If you want to file an appeal it has  
18 to be done within 14 days, and we'll give you an attorney free  
19 to charge to do that. Do you understand that?

20 MR. NORTHINGTON: Yes.

21 THE COURT: Mr. Egan, you have been representing Mr.  
22 Northington in this matter, and you will continue to protect  
23 his interest during the appeal period?

24 MR. EGAN: I shall. Absolutely.

25 THE COURT: All right. Anything further?

1 MR. EGAN: The only other request Mr. Northington  
2 has, if you have any pull with regard to it, is either he  
3 could get into general population at the FDC in Philadelphia.

4 And, if not, if you could see that it be sooner than  
5 later he gets shipped back to USP Hazleton.

6 THE COURT: I will speak with the authorities at the  
7 prison. I would think at this juncture that there would be no  
8 reason not to put him back in general population.

9 MR. NORTHINGTON: Thanks, Your Honor. Thank you.

10 THE COURT: But I -- as you well know I don't --

11 MR. NORTHINGTON: Yeah. I just was trying to visit  
12 my family before I go back to Hazleton. But if, you know, if  
13 they want to just send me back, you know, I'll go back and  
14 they'll try to work it out to get up there. But either way, I  
15 appreciate it. Thank you.

16 THE COURT: All right. Mr. Troyer, do you have  
17 anything further?

18 MR. TROYER: No, Your Honor. Thank you,.

19 THE COURT: All right. That disposes of this  
20 matter. We're in recess.

21 (Proceedings concluded at 12:33 p.m.)

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C E R T I F I C A T I O N

I, Josette Jones, court approved transcriber, certify that the foregoing is a correct transcript from the official digital audio recording of the proceedings in the above-entitled matter.

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JOSETTE JONES	DATE
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